

FISCAL NOTE

HB 605 - SB 822

March 7, 2003

SUMMARY OF BILL: Requires a law enforcement officer who has probable cause to believe that the driver of a motor vehicle involved in an accident resulting in the injury or death of another has committed DUI, vehicular assault, vehicular homicide, or aggravated vehicular homicide to conduct a blood/alcohol content test whether or not the driver consents to such test. Specifies that the results of such test are admissible in evidence in any court or hearing related to the accident or offense.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$148,500/Incarceration*

**Increase State Expenditures - \$192,100 Recurring
\$173,300 One-Time**

Increase State Revenues - Less than \$50,000

Increase Local Govt. Expenditures - Not Significant

Increase Local Govt. Revenues - Not Significant

Estimate assumes:

- 15 additional convictions for vehicular assault, a Class D felony, based upon a 25% increase in convictions;
- the impact to local governments depends upon the number of persons convicted of DUI as a results of these provisions and the resulting increased cost to local governments to confine such persons versus the increased revenues to local governments from fines levied and collected under the provisions of this bill;
- most persons involved in accidents resulting in death are currently compelled to take a BAC test which would be admissible into evidence;
- TBI would perform test upon approximately 4,000 additional blood samples requiring additional staff and equipment estimated to increase recurring state expenditures by \$192,100 and one-time state expenditures of \$173,300.
- some increase in state revenues from court costs assessed from criminal convictions for testing of blood samples.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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